

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CLERMONT YORK ASSOCIATES, LLC,

Civil Action No

**07 CV 7331(PKC)(DCF)**

Plaintiff,

NOTICE OF MOTION

-against-

DAVID GORDON,

Defendant.  
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PLEASE TAKE NOTICE, that upon the annexed Declaration of Randi B. Gilbert, dated September 17, 2007, and the Exhibits annexed thereto, and upon the prior pleadings and proceedings herein, the undersigned will move this Court located at 500 Pearl Street, New York, NY pursuant to 28 USC Section 1446 & 1447 for an order remanding this proceeding to the Civil court of the city of New York, County of New York housing part, and granting Petitioner landlord, such other and further relief as this Court deems Just, proper and equitable under the circumstances answering or opposing papers to be served within 10 business days of the date of service of motion papers.

Dated: Williston Park, New York  
September 17, 2007

/s/

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RANDI B. GILBERT (RG4392)  
HORING WELIKSON & ROSEN, P.C.  
11 Hillside Avenue  
Williston Park, New York 11596  
(516) 535-1700  
Attorneys for Petitioner-Plaintiff

TO: David Gordon, Respondent-Defendant pro se  
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New York, NY 10028